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ORIGINAL

FORM PTO-1390
(REV. 11-2000)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

Le A 33 914

U.S. APPLICATION NO. (If known, see 37 CFR 1.5

10 / 088885

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

INTERNATIONAL APPLICATION NO. PCT/EP00/08890	INTERNATIONAL FILING DATE 12 September 2000 (12.09.00)	PRIORITY DATE CLAIMED 24 September 1999 (24.09.99)
TITLE OF INVENTION USE OF SUBSTITUTED 4-BIARYLBUTYRIC AND 5-BIARYLPENTANOIC ACID DERIVATIVES FOR THE TREATMENT OF MULTIPLE SCLEROSIS		
APPLICANT(S) FOR DO/EO/US FAHRIG, et al.		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto (required only if not communicated by the International Bureau).
 - b. has been communicated by the International Bureau.
 - c. is not required, as the application was filed in the United States Receiving Office (RO/US).
6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. is attached hereto.
 - b. has been previously submitted under 35 U.S.C. 154(d)(4).
7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. are attached hereto (required only if not communicated by the International Bureau).
 - b. have been communicated by the International Bureau.
 - c. have not been made; however, the time limit for making such amendments has NOT expired.
 - d. have not been made and will not be made.
8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. A FIRST preliminary amendment.
14. A SECOND or SUBSEQUENT preliminary amendment.
15. A substitute specification.
16. A change of power of attorney and/or address letter.
17. A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. Other items or information: 1) Certificate of Mailing under 37 C.F.R. 1.10;
2) Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(b);
3) Information Disclosure Statement (Modified Form PTO-1449) and references cited therein;
4) Return Receipt Postcard.

Date of Deposit: 22 March 2002

Express Mail Label No.: ET131980172US

U.S. APPLICATION NO. (if known, see 37 CFR 1.10)		INTERNATIONAL APPLICATION NO. PCT/EP00/08890	ATTORNEY'S DOCKET NUMBER Le A 33 914
21. <input checked="" type="checkbox"/> The following fees are submitted:		CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492 (a) (1) - (5)):			
Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO.....		\$1000.00	
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO		\$860.00	\$890.00
International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO		\$710.00	
International preliminary examination fee (37 CFR 1.482) paid to USPTO but all claims did not satisfy provisions of PCT Article 33(1)-(4)		\$690.00	
International preliminary examination fee (37 CFR 1.482) paid to USPTO and all claims satisfied provisions of PCT Article 33(1)-(4)		\$100.00	
ENTER APPROPRIATE BASIC FEE AMOUNT = \$ 890.00			
Surcharge of \$130.00 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).		\$	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	8 - 20 =	0	x \$18.00 \$ 00.00
Independent claims	4 - 3 =	1	x \$80.00 \$84.00
MULTIPLE DEPENDENT CLAIM(S) (if applicable) 0		+ \$270.00 \$280.00	
TOTAL OF ABOVE CALCULATIONS = \$ 974.00			
<input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.		\$	
SUBTOTAL = \$ 974.00			
Processing fee of \$130.00 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).		\$	
TOTAL NATIONAL FEE = \$ 974.00			
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property +		\$	
TOTAL FEES ENCLOSED = \$ 974.00			
		Amount to be refunded:	\$
		charged:	\$
<p>a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.</p> <p>b. <input checked="" type="checkbox"/> Please charge my Deposit Account No. <u>13-3372</u> in the amount of \$ <u>974.00</u> to cover the above fees. A duplicate copy of this sheet is enclosed.</p> <p>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. <u>13-3372</u>. A duplicate copy of this sheet is enclosed.</p> <p>d. <input type="checkbox"/> Fees are to be charged to a credit card. WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.</p>			
<p>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137 (a) or (b)) must be filed and granted to restore the application to pending status.</p> <p>SEND ALL CORRESPONDENCE TO:</p> <p>Jeffrey M. Greenman Vice President, Patents and Licensing Bayer Corporation 400 Morgan Lane West Haven, CT 06516</p>			
<p><u>William F. Gray</u> SIGNATURE William F. Gray NAME 31,018 REGISTRATION NUMBER</p>			

Attorney's Docket No. Le A 33 914

PATENT**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of: Fahrig, et al.

Serial No.: National Stage Filing of PCT/EP00/08890

Filed: herewith

For: Use of Substituted 4-Biarylbutyric and 5-Biarylpentanoic Acid Derivatives for the Treatment of Multiple Sclerosis

BOX PCT**Assistant Commissioner for Patents****Washington, D.C. 20231****CERTIFICATE OF MAILING UNDER 37 CFR 1.10**I hereby certify that the *attached* correspondence comprising:

- Transmittal Letter to the United States Designated/Elected Office (DO/EO/US) Concerning a Filing under 35 U.S.C. 371 [IN DUPLICATE];
- Preliminary Amendment;
- Original Combined Declaration and Power of Attorney;
- Copy of the International Application as filed (35 U.S.C. 371(c)(2));
- Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98 consisting of Transmittal of Information Disclosure Statement under 37 C.F.R. 1.97(b), Information Disclosure Citation (Modified Form PTO-1449) and copies of references cited therein; and
- Return Receipt Post Card.

is, on the date shown below, being deposited with the United States Postal Service, in an envelope as "Express Mail Post Office to Addressee" Mailing Label Number ET131980172US, addressed to:

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

22 MARCH 2002

Date

Signature of Person Certifying / Beatriz Alviz

